

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0262 – Central Austin
Vertical Mixed Use Building (V) Rezoning

C.C DATE: December 18, 2008

PC DATE: December 9, 2008; October 28, 2008; August 26, 2008; June 24, 2008; May 27, 2008; April 22, 2008; February 12, 2008; January 15, 2008.

AREA: 70 tracts on 57.95 acres

APPLICANT: City of Austin, Neighborhood Planning and Zoning Department (NPZD)

AGENT: City of Austin, Neighborhood Planning and Zoning Department (NPZD),
Minal Bhakta

NEIGHBORHOOD ORGANIZATIONS:

Alliance to Save Hyde Park
Austin Independent School District
Austin Neighborhoods Council
Beau Site Neighborhood
Caswell Heights Neighborhood Association
Caswell Pease Neighborhood Association
Central Austin Neighborhoods Planning Area Committee
City of Austin Downtown Commission
Dellwood Neighborhood Assn.
Downtown Austin Alliance
Downtown Austin Neighborhood Assn. (DANA)
Downtown Austin Neighborhood Coalition
Eastwoods Association
Five Rivers Neighborhood Assn.
Greater West Austin Neighborhood Planning Area
Hancock Neighborhood Assn.
Heritage Neighborhood Assn.
Home Builders Association of Greater Austin
Homeless Neighborhood Organization
Hyde Park Neighborhood Assn.
Judges' Hill Neighborhood Association
Keep the Land
M.K. Hage
Mueller Neighborhoods Coalition

Non-Profit Student Housing Preservation Group
North Austin Neighborhood Alliance
North Capitol Area Neighborhood Assn.
North Loop Neighborhood Planning Liaison-COA
North Loop Neighborhood Planning Team
North University Neighborhood Assn.
North University Planning Team
Old Enfield Homeowners Assn.
Pemberton Heights Neighborhood Association
PODER People Organized in Defense of Earth & Her Resources
Ridgetop Neighborhood Association
Rosedale Neighborhood Assn.
Sentral Plus East Austin Koalition (SPEAK)
Shoal Crest Neighborhood Assn.
Taking Action Inc.
The Original West University Neighborhood Association
University Area Partners
Upper Boggy Creek Neighborhood Planning Team
West Campus Neighborhood Association
West University Neighborhood Association
Wilshire Wood-Dellwood I Neigh. Assn.

AREA OF PROPOSED ZONING CHANGES: The Central Austin Combined Neighborhood Planning area is bounded by Lamar Blvd. and Duval Street to the west, 38th & 45th Streets to the north, IH-35 to the east and Martin Luther King, Jr. Blvd. to the south (excluding the University of Texas at Austin Campus). Please refer to Attachment 5.

APPLICABLE CORE TRANSIT CORRIDORS: N Lamar Ave, W 38th St, E MLK Blvd, Airport Blvd.

PLANNING COMMISSION RECOMMENDATION:

On December 9, 2008 public hearing, the Planning Commission voted as below:

- Amend the VMU Overlay District to exclude tracts 2-6, 11-12, 14-52, 57-60, 62-64, and 66-67 from the VMU Overlay District. Tract 10 was postponed to January 13, 2008. [Reddy, Ewen 6-2]
 - *Planning Commission recommendation is the same as the neighborhood recommendation except for Tract 10 which the PC postponed to January 13, 2008 and tract 61 which they approved VMU building zoning on.*
- Approve vertical mixed use building (V) zoning with only Dimensional Standards and Additional Uses in Office Districts to tracts 1, 7-9, 13, and 65. [Reddy, Atkins 7-1]
 - *Planning Commission recommendation is the same as the neighborhood recommendation.*
- Approve vertical mixed use building (V) zoning with no bonus incentives to tracts 53-56 and 61. [Dealey, Reddy]
 - *Planning Commission recommendation is the same as the neighborhood recommendation except for tract 61 which the neighborhood wants to exclude from the VMU Overlay District.*
- Approve vertical mixed use building (V) zoning with only Dimensional Standards to tract 101-102. [8-0]
 - *Planning Commission recommendation is the same as the neighborhood recommendation.*
- Approve vertical mixed use building (V) zoning with only Dimensional Standards and Additional Uses in Office Districts to tract 103. [Atkins, Ewen 8-0]
 - *Planning Commission recommendation is the same as the neighborhood recommendation.*
- Approve and affordability level of 60% of the median family income for 10% of rental units in a vertical mixed use building. [Kirk, Dealey 8-1]
 - *Planning Commission recommendation is the same as the neighborhood recommendation.*

STAFF COMMENTS:

The VMU Overlay District in the Central Austin Combined Neighborhood Planning Area includes 57.95 acres. The Central Austin Neighborhood Plan Contact Team is recommending excluding properties from the Overlay District totaling approximately 49.1 acres. For those properties recommended to remain in the Overlay District (8.85 acres), the Contact Team has recommended that 5.55 acres be opted out of the Parking Reduction incentive (but the other incentives apply), and that 3.30 acres be opted out of all incentives (Dimensional Standards, Parking Reduction, Additional Ground Floor Uses in Office Districts).

The Contact Team also recommends opting into VMU regulations about 7.58 acres. Of these Opt-In properties, approximately 1.62 acres are recommended for the Dimensional Standards

incentive only (not Parking Reduction or Additional Ground Floor Uses in Office Districts) and approximately 5.96 acres are recommended for the Dimensional Standards and Additional Ground Floor Uses in Office Districts incentives (not Parking Reduction).

The net acreage of the Contact Team's recommendations for properties to be given the Vertical Mixed Use (V) zoning designation is 16.43 acres.

LIST OF ATTACHMENTS:

Attachment 1: Central Austin Combined VMU Neighborhood Recommendation Map & Neighborhood Recommendations Table

Attachment 2: Central Austin Combined VMU Tract Map – VMU Overlay District Tracts

Attachment 3: List of Central Austin Combined Neighborhood VMU Application Properties by Tract #, TCAD Property ID and City of Austin Address for properties in the VMU Overlay District and for Opt-In Properties

Attachment 4: Zoning Map

Attachment 5: Central Austin Combined Neighborhood Vertical Mixed Use (VMU) Opt-In / Opt-Out Application

Attachment 6: Overview of Vertical Mixed Use (VMU) and the VMU Opt-In/Opt-Out Process

Attachment 7: Public Comment Forms (17 in support, 4 in opposition, 1 in support of neighborhood recommendations)

NEIGHBORHOOD RECOMMENDATION:

In addition to the recommendations detailed in the Central Austin VMU Neighborhood Recommendations table (Attachment 1), the neighborhood also recommends strict screening requirements for parking facilities and utility and service equipment on properties adjacent to single-family residential uses. However, the city's design standards for commercial development already provide the following screening requirements:

“Loading docks, truck parking, outdoor storage, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and landscape so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Screening materials for solid waste collection and loading areas shall be the same as, or of equal quality to, the materials used for the principal building.”

Additionally, the City's compatibility standards require that developments screen mechanical equipment, storage, refuse collection, and off-street parking by providing a yard, fence, berm, or vegetation. Also, a permanently placed refuse receptacle, including a dumpster, may not be

located 20 feet or less from a single-family property. And compatibility standards require a setback for parking areas that is 25 feet for sites greater than 125 feet wide, with a gradually decreasing setback requirement for more narrow sites.

Staff feels that these existing standards and requirements address neighborhood concerns for screening.

The Central Austin neighborhoods also expressed a concern for design standards for the “back” portion of VMU buildings that face the neighborhood. They request that more attention be paid to requiring better design so that neighborhoods are not forced to face unattractive portions of buildings such as large blank walls or a parking garage. Additionally, they would like compatibility standards to apply to multifamily as well as single-family properties. Since these requests deal with adjusting the VMU standards as a whole, rather than just specific properties in this neighborhood, staff recommends that these issues be addressed separately as part of the amendments to the commercial design standards that will take place in the summer of 2009.

Please see Attachment 1 for detailed Neighborhood Recommendations for different tracts.

CASE MANAGER: Minal Bhakta **E-MAIL:** minal.bhakta@ci.austin.tx.us **PHONE:** 974-6453

WATERSHEDS: Shoal, Waller, Boggy(urban) **DESIRED DEVELOPMENT ZONE:** Yes

SCHOOLS: Lee Elementary School

ISSUES: None at this time.

CITY COUNCIL DATE: December 18, 2008

ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

BACKGROUND

On August 31, 2006, the City Council adopted the “Design Standards & Mixed Use” ordinance as Subchapter E of Chapter 25-2 of the City Code. Most of the provisions of the ordinance went into effect on January 13, 2007. However, a separate process and schedule was established within the ordinance for Vertical Mixed Use.

The VMU Opt-In/Opt-Out process provides an opportunity for neighborhoods to offer recommendations regarding the location and development standards for Vertical Mixed Use Buildings. The primary focus of this process is on property fronting certain major arterials defined as Core Transit Corridors; however, other properties may also be eligible for VMU. With some exceptions, properties fronting on a Core Transit Corridor are eligible for VMU unless “opted-out”. Properties not fronting on the Core Transit Corridors are not eligible for VMU unless “opted-in”.

As part of the Vertical Mixed Use (VMU) Opt-In/Opt-Out process the city of Austin was divided into approximately 80 neighborhood planning and/or VMU application areas. Over the next several months each of the application areas affected by the VMU process will be the subject of a zoning case. The Planning Commission will review these cases and provide recommendations to

the City Council who will make the final determination as to the applicability of VMU. Zoning case C14-2007-0262 is the final step in the Vertical Mixed Use Opt-In/Opt-Out process for the Central Austin Combined Neighborhood application area. A more detailed overview of Vertical Mixed Use and the Opt-In/Opt-Out process is provided in Attachment 7.

Representatives of the Central Austin Combined Neighborhood Plan Contact Team submitted a Vertical Mixed Use (VMU) Opt-In / Opt-Out Application to the City on June 4, 2007. The Contact Team submitted an amended application on August 9, 2007.

Impervious Cover

The maximum impervious cover limits for the proposed zoning districts are as follows:

| | |
|---|---|
| LI, Limited Industrial Services | 80 % |
| CS, Commercial Services | 95 % |
| CS-1, Commercial – Liquor Sales | 95 % |
| W/LO, Warehouse Limited Office | 70% |
| GR, Community Commercial | 90 % |
| LR, Neighborhood Commercial | 80 % |
| LO, Limited Office | 70 % |
| MH, Mobile Home | N / A |
| MF-4, Multifamily Residence Moderate – High Density | 70% |
| MF-3, Multi-family Residence (Medium Density) | 65 % |
| MF-2, Multi-family Residence (Low Density) | 60 % |
| SF-6, Townhouse & Condominium Residence | 55% |
| SF-5, Urban Family Residence | 55% |
| SF-3, Family Residence | 45 % |
| SF-2, Single Family Residence – Standard Lot | 45 % |
| P, Public | varies (refer to the <u>Land Development Code</u>) |

The maximum amount of impervious cover is determined as the more restrictive figure of the zoning district and watershed class.

Transportation

Additional right-of-way (ROW) necessary for future roadway improvements within the proposed zoning may be required during the subdivision review process or the site plan review process.

Since the rezoning of this area is being initiated by the City of Austin through the neighborhood planning process and does not reflect a specific development proposal, no trip generation calculations are provided on a tract-by-tract basis for any proposed land uses as would typically be provided.

A Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW, participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

Water and Wastewater

The area is served with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

Compatibility Standards

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district/use will be subject to compatibility development regulations.

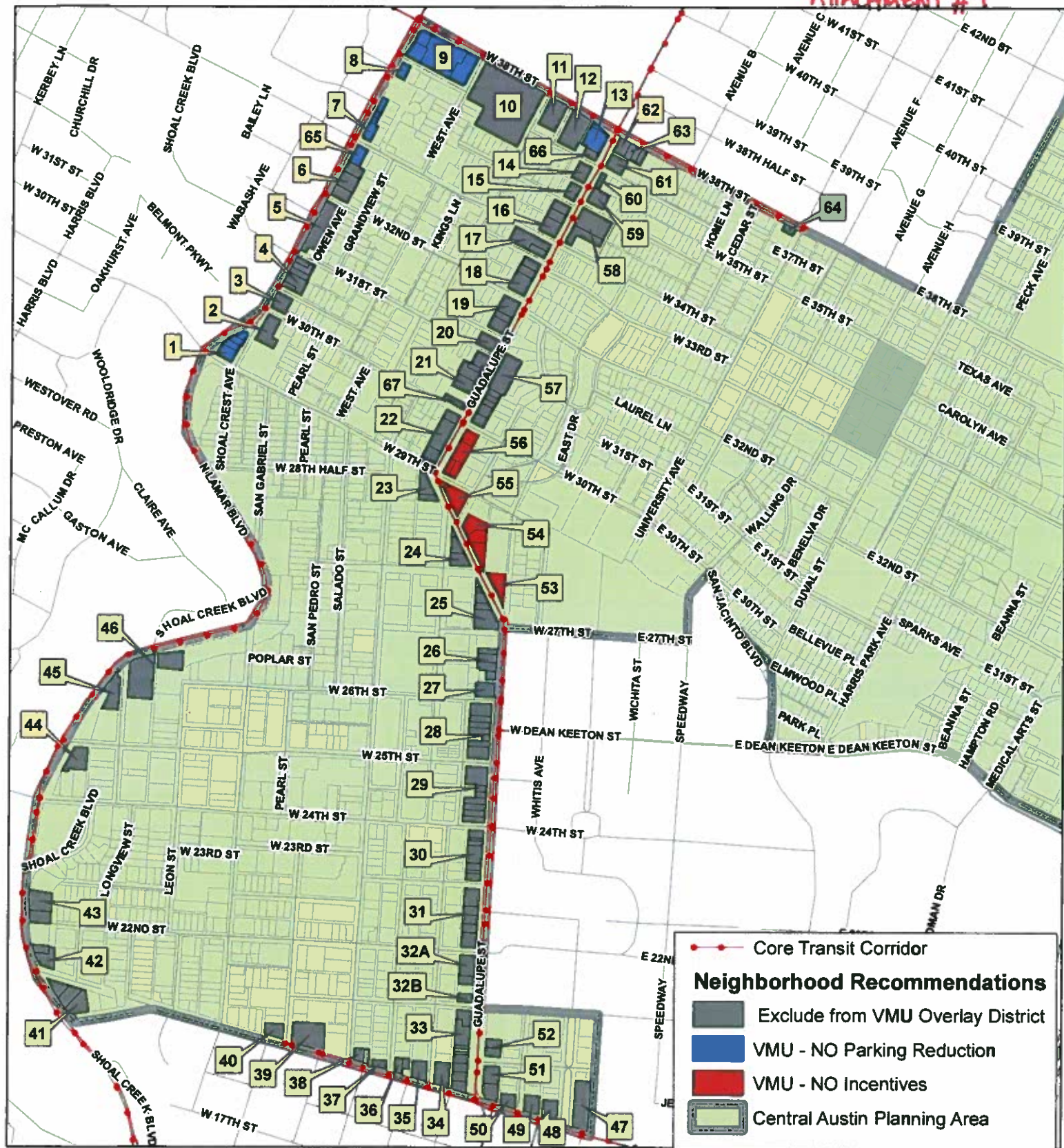
**Central Austin Combined Planning Area VMU Neighborhood Recommendations
C14-2007-0262**

| VMU Overlay District | | | | | |
|---------------------------------|---------------------------------|-----------------------|-------------------|--|-----------------------------------|
| Tract # (1) | All VMU-Related Standards Apply | OPT OUT (2) | | | Exclude from VMU Overlay District |
| | | Dimensional Standards | Parking Reduction | Additional Ground Floor Uses in Office Districts | |
| 1, 7-9, 13, 65 | | | X | | |
| 53-56 | | X | X | X | |
| 2-6, 10-12, 14-52, 57-64, 66-67 | | | | | X |

| VMU Opt-In Properties | | | | |
|-----------------------|---------------------------------|-----------------------|-------------------|--|
| Tract # (1) | All VMU Related Standards Apply | OPT IN (2) | | |
| | | Dimensional Standards | Parking Reduction | Additional Ground Floor Uses in Office Districts |
| 101-102 | | X | | |
| 103 | | X | | X |

RECOMMENDED AFFORDABILITY LEVEL FOR 10% OF RESIDENTIAL UNITS FOR RENTAL WITHIN A VERTICAL MIXED USE BUILDING: 60%

- (1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Map.
 (2) Please refer to attached information for explanations of Opt-In and Opt-Out options.



Central Austin Combined Neighborhood Planning Area Vertical Mixed Use (VMU) Opt-In/Opt-Out Neighborhood Recommendations C14-2007-0262

Produced by City of Austin
Neighborhood Planning and Zoning Dept.
December 28, 2007

Please refer to attached tables "Central Austin
Combined Planning Area VMU Application
Properties" and "Central Austin Combined Planning
Area VMU Neighborhood Recommendations" for
more information.

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for the sole purpose of aiding regional planning and
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made regarding its accuracy or completeness.



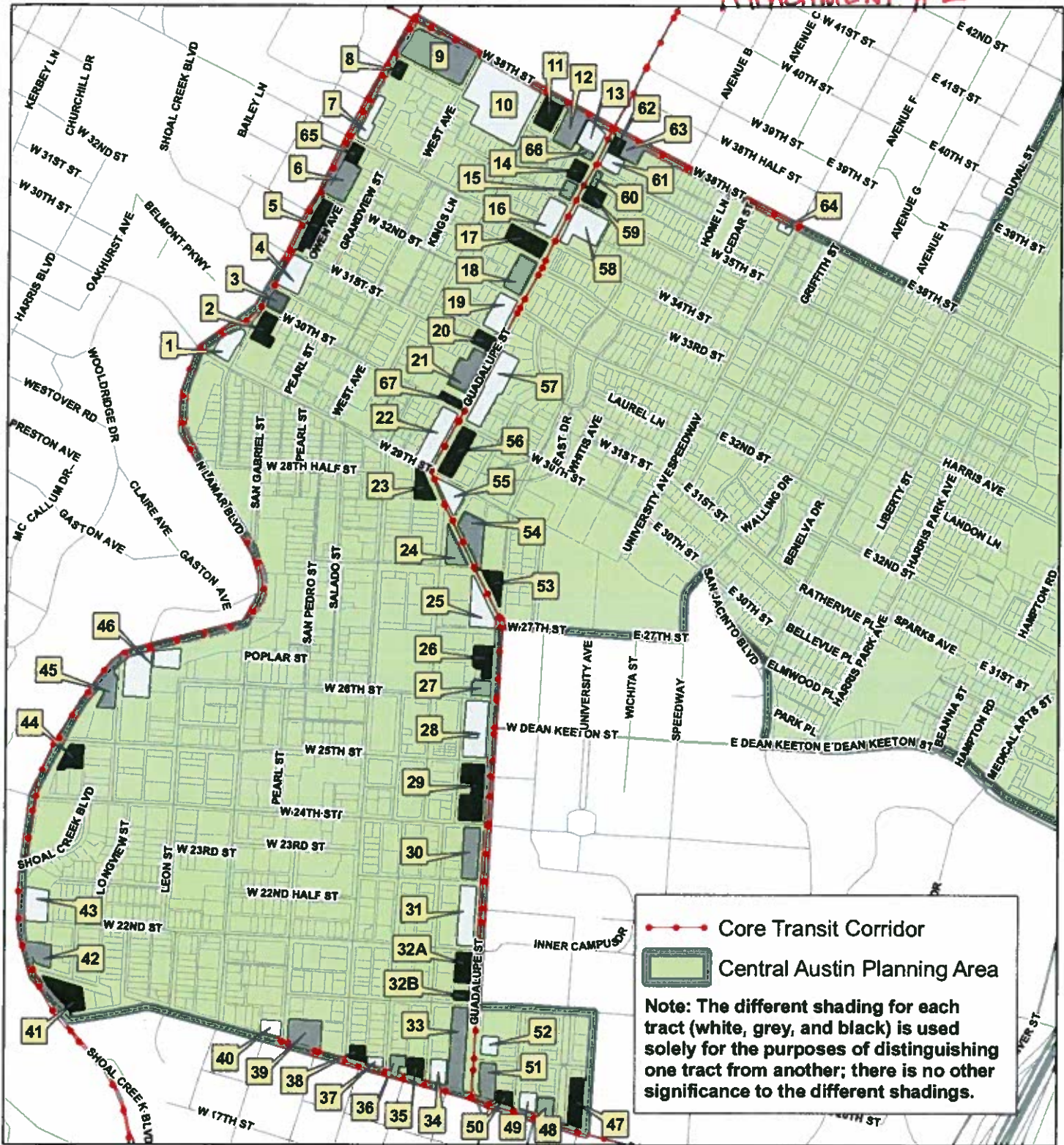
**Central Austin Combined Neighborhood Planning Area
Vertical Mixed Use (VMU) Tract Map
VMU OPT-IN Properties
C14-2007-0262** Please refer to attached tables "Central A

Produced by City of Austin
Neighborhood Planning and Zoning Dept.
December 26, 2007

Please refer to attached tables "Central Austin Combined Planning Area VMU Application Properties" and "Central Austin Combined Planning Area VMU Neighborhood Recommendations" for more information.



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**Central Austin Combined Neighborhood Planning Area
Vertical Mixed Use (VMU) Tract Map
VMU Overlay District
C14-2007-0262**

0 500 1,000 2,000 Feet



Produced by City of Austin
Neighborhood Planning and Zoning Dept.
December 26, 2007

Please refer to attached tables "Central Austin Combined Planning Area VMU Application Properties" and "Central Austin Combined Planning Area VMU Neighborhood Recommendations" for more information.

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**Central Austin Combined Planning Area VMU Application Properties
C14-2007-0262**

| Vertical Mixed Use (VMU) Overlay District Properties | | |
|--|----------------------------|--|
| Tract # (1) | TCAD Property ID (2) | COA Address (3) |
| 1 | 211114 | W130FT OF LOT 3 BLK 1 THEODORE LOW HEIGHTS |
| | 211115 | 2901 N LAMAR BLVD |
| | 211116 | 2906 SAN GABRIEL ST |
| | 211117 | 2908 SAN GABRIEL ST |
| 2 | 211328 | 2915 SAN GABRIEL ST |
| 3 | 211327 | 3001 N LAMAR BLVD |
| 4 | 211225 | 3007 N LAMAR BLVD |
| | 211229 | 3011 N LAMAR BLVD |
| | 211230 | 3027 N LAMAR BLVD |
| | 211231 | 3009 N LAMAR BLVD |
| 5 | 211119 | 3103 N LAMAR BLVD |
| | | 3125 N LAMAR BLVD |
| 6 | 212639 | 3303 N LAMAR BLVD |
| | 212640 | 3311 N LAMAR BLVD |
| | 212642 | 3201 N LAMAR BLVD |
| 7 | 212563 | 3401 N LAMAR BLVD |
| | 212564 | 3411 N LAMAR BLVD |
| | 212565 | 3419 N LAMAR BLVD |
| | 212566 | 3423 N LAMAR BLVD |
| 8 | 212573 | 3515 N LAMAR BLVD |
| 9 | 212462 | 911 W 38TH ST |
| | 212465 | 801 W 38TH ST |
| | 212466 | 901 W 38TH ST |
| | 567356 | 3701 N LAMAR BLVD |
| 10 | 525524 | 711 W 38TH ST |
| 11 | 212538 | 631 W 38TH ST |
| 12 | 212544 | 623 W 38TH ST |
| 13 | 212540 | LOT 2 BLK 7 OLT 76 DIV D BUDDINGTON SUBD |
| | 212541 | 3706 GUADALUPE ST |
| 14 | 212583 | 3510 GUADALUPE ST |
| | | 3512 GUADALUPE ST |
| | | 601 1/2 W 37TH ST |
| 15 | 212602 | 3500 GUADALUPE ST |

**Central Austin Combined Planning Area VMU Application Properties
C14-2007-0262**

| Tract # (1) | TCAD Property ID (2) | COA Address (3) |
|-------------|----------------------------|-----------------------|
| 16 | 212611 | 3406 GUADALUPE ST |
| | 212612 | 3404 GUADALUPE ST |
| | 212619 | 3402 GUADALUPE ST |
| 17 | 212730 | 3316 GUADALUPE ST |
| | | 610 W 33RD ST |
| | | 612 1/2 W 33RD ST |
| 18 | 212732 | 3300 GUADALUPE ST |
| | 212748 | 3208 GUADALUPE ST |
| | 212749 | 3204 GUADALUPE ST |
| 19 | 211171 | 3114 1/2 GUADALUPE ST |
| | 211172 | 3110 GUADALUPE ST |
| | 211180 | 3120 GUADALUPE ST |
| 20 | 211185 | 3100 GUADALUPE ST |
| 21 | 732525 - 732563 | 3016 GUADALUPE ST |
| 22 | 211432 | 2932 GUADALUPE ST |
| | | 2938 GUADALUPE ST |
| | | 601 W 30TH ST |
| | 211433 | 2908 GUADALUPE ST |
| | | 2910 GUADALUPE ST |
| | | 2912 GUADALUPE ST |
| | | 2918 GUADALUPE ST |
| | | 2922 GUADALUPE ST |
| | | 2924 GUADALUPE ST |
| | | 2928 GUADALUPE ST |
| | 211434 | 2904 GUADALUPE ST |
| | 211435 | 2900 GUADALUPE ST |
| 23 | 208201 | 2828 1/2 GUADALUPE ST |
| | | 2828 GUADALUPE ST |
| | 208202 | 2820 GUADALUPE ST |

**Central Austin Combined Planning Area VMU Application Properties
C14-2007-0262**

| Tract # (1) | TCAD Property ID (2) | COA Address (3) |
|-------------|----------------------------|------------------------------|
| 24 | 208321 | 2803 NUECES ST |
| | | 2808 GUADALUPE ST |
| | 208322 | 2810 GUADALUPE ST |
| | 359152 | 2800 GUADALUPE ST |
| | | 2802 GUADALUPE ST |
| 25 | 208313 | 2718 GUADALUPE ST |
| | 208314 | 2716 1/2 GUADALUPE ST |
| | 208315 | 2716 GUADALUPE ST |
| | 208316 | 2714 GUADALUPE ST |
| | 208317 | 2712 GUADALUPE ST |
| | 208318 | 2700 GUADALUPE ST |
| 26 | 208303 | 2610 GUADALUPE ST |
| | 208304 | 65 X 150FT OLT 62 DIVISION D |
| | 208305 | 2606 GUADALUPE ST |
| | 208309 | 2604 GUADALUPE ST |
| 27 | 208307 | 2600 GUADALUPE ST |
| 28 | 206589 | 2513 SAN ANTONIO ST |
| | | 2538 GUADALUPE ST |
| | 206592 | 2511 SAN ANTONIO ST |
| | | 2522 GUADALUPE ST |
| | | 2530 GUADALUPE ST |
| | | 2532 GUADALUPE ST |
| | 206593 | 2518 GUADALUPE ST |
| | | 2520 GUADALUPE ST |
| | 206594 | 2512 GUADALUPE ST |
| | 206595 | 2500 GUADALUPE ST |
| | | 2510 GUADALUPE ST |
| | 206597 | 2514 GUADALUPE ST |
| | 206598 | 2552 GUADALUPE ST |
| | | 2558 GUADALUPE ST |

**Central Austin Combined Planning Area VMU Application Properties
C14-2007-0262**

| Tract # (1) | TCAD Property ID (2) | COA Address (3) |
|-------------|----------------------------|--|
| 29 | 206685 | 2434 GUADALUPE ST |
| | | 2438 1/2 GUADALUPE ST |
| | 206686 | 2424 GUADALUPE ST |
| | | 2426 GUADALUPE ST |
| | | 2428 GUADALUPE ST |
| | 206687 | 2420 GUADALUPE ST |
| | | 2422 GUADALUPE ST |
| | 206688 | 2416 GUADALUPE ST |
| | | 2418 GUADALUPE ST |
| | 206689 | 2406 GUADALUPE ST |
| | | 2414 GUADALUPE ST |
| 30 | 206690 | 2404 GUADALUPE ST |
| | | 2402 GUADALUPE ST |
| | 206742 | 2348 GUADALUPE ST |
| | | 2352 GUADALUPE ST |
| | | 2354 GUADALUPE ST |
| | | 407 W 24TH ST |
| | 206744 | .058AC OF S56 FT OF LOT 35 OLT 36 DIVISION D |
| | 206749 | 2312 GUADALUPE ST |
| | | 2316 GUADALUPE ST |
| | 206750 | 2310 GUADALUPE ST |
| | 206751 | 2300 GUADALUPE ST |
| | | 2304 GUADALUPE ST |
| | 359147 | 2322 GUADALUPE ST |
| | | 2324 GUADALUPE ST |
| | | 2326 GUADALUPE ST |
| | | 2328 GUADALUPE ST |
| | | 2330 GUADALUPE ST |
| 31 | 203508 | 2338 GUADALUPE ST |
| | | 2346 GUADALUPE ST |
| | | 2350 GUADALUPE ST |
| | | 2246 GUADALUPE ST |
| | | 2266 GUADALUPE ST |
| | | 2268 GUADALUPE ST |
| | 203509 | 2270 GUADALUPE ST |
| | | 403 W 23RD ST |
| | 203510 | 405 W 23RD ST |
| | | 2244 GUADALUPE ST |
| | | 2230 GUADALUPE ST |
| | 203511 | 2234 GUADALUPE ST |
| | | 2236 GUADALUPE ST |
| | 567170 | 2222 GUADALUPE ST |
| | | 2200 GUADALUPE ST |

**Central Austin Combined Planning Area VMU Application Properties
C14-2007-0262**

| Tract # (1) | TCAD Property ID (2) | COA Address (3) |
|-------------|----------------------------|----------------------------------|
| 32A | 203719 | 2130 GUADALUPE ST |
| | 203720 | 2116 GUADALUPE ST |
| | | 2120 GUADALUPE ST |
| 32B | 203722 | 2100 GUADALUPE ST |
| 33 | 203836 | 2008 GUADALUPE ST |
| | | 2010 GUADALUPE ST |
| | 203837 | 2004 GUADALUPE ST |
| | 203838 | 2002 GUADALUPE ST |
| | 203839 | 2000 GUADALUPE ST |
| | 203840 | 1908 GUADALUPE ST |
| | | 1910 GUADALUPE ST |
| | | 1914 GUADALUPE ST |
| | 203841 | 1906 GUADALUPE ST |
| | 203842 | 1904 GUADALUPE ST |
| | 203843 | 1900 GUADALUPE ST |
| | 203847 | 2024 GUADALUPE ST |
| | | 2026 GUADALUPE ST |
| 34 | 203844 | 1903 SAN ANTONIO ST |
| | | 414 W MARTIN LUTHER KING JR BLVD |
| 35 | 203803 | 500 W MARTIN LUTHER KING JR BLVD |
| 36 | Portion of 203795 | 506 W MARTIN LUTHER KING JR BLVD |
| | 203796 | 510 W MARTIN LUTHER KING JR BLVD |
| 37 | 203782 | 600 W MARTIN LUTHER KING JR BLVD |
| 38 | 203795 | 610 W MARTIN LUTHER KING JR BLVD |
| | 203796 | 1901 RIO GRANDE ST |
| 39 | 203761 | 706 W MARTIN LUTHER KING JR BLVD |
| 40 | 203734 | 1900 PEARL ST |
| 41 | 111994 | 1907 N LAMAR BLVD |
| | 111995 | 1905 N LAMAR BLVD |
| | 111996 | 1901 N LAMAR BLVD |
| 42 | 112376 | 2001 N LAMAR BLVD |
| | 112377 | 2003 N LAMAR BLVD |
| 43 | 112380 | 2201 N LAMAR BLVD |
| | 112381 | 2205 N LAMAR BLVD |

**Central Austin Combined Planning Area VMU Application Properties
C14-2007-0262**

| Tract # (1) | TCAD Property ID (2) | COA Address (3) |
|-------------|----------------------------|---|
| 44 | 206183 | 1301 W 25TH ST |
| 45 | 206056 | 2520 LONGVIEW ST |
| 46 | 206063 | 2601 N LAMAR BLVD |
| 47 | 203899 | 1903 UNIVERSITY AVE |
| | | 1905 UNIVERSITY AVE |
| | | 1909 UNIVERSITY AVE |
| 48 | 203888 | 1900 1/2 UNIVERSITY AVE |
| | | 1900 UNIVERSITY AVE |
| | | 1902 UNIVERSITY AVE |
| | | 208 W MARTIN LUTHER KING JR BLVD |
| 49 | 203880 | 212 W MARTIN LUTHER KING JR BLVD |
| | | 214 W MARTIN LUTHER KING JR BLVD |
| | | 216 W MARTIN LUTHER KING JR BLVD |
| | | 218 W MARTIN LUTHER KING JR BLVD |
| | | 222 W MARTIN LUTHER KING JR BLVD |
| 50 | 203854 | 300 W MARTIN LUTHER KING JR BLVD |
| 51 | 203848 | 1901 GUADALUPE ST |
| | 203850 | 1907 GUADALUPE ST |
| | | 1915 GUADALUPE ST |
| 52 | 203855 | 2001 GUADALUPE ST |
| | 203856 | 2003 GUADALUPE ST |
| 53 | Portion of 208335 | 2711 GUADALUPE ST |
| 54 | 208325 | 2801 GUADALUPE ST |
| | 208326 | LOT 5 * LESS W 7.5FT & LOT 6 * LESS N W TRI BLK 1 OLT 14 DIV D FRUTH ADDN |
| | 208334 | 2815 GUADALUPE ST |
| 55 | 208323 | 2817 GUADALUPE ST |
| | | 2819 GUADALUPE ST |
| | 208324 | 2825 GUADALUPE ST |
| | | 2827 GUADALUPE ST |

**Central Austin Combined Planning Area VMU Application Properties
C14-2007-0262**

| Tract # (1) | TCAD Property ID (2) | COA Address (3) |
|-------------|----------------------------|---|
| 56 | 211451 | 512 W 29TH ST |
| | 211452 | 2909 GUADALUPE ST |
| | 211454 | 2915 GUADALUPE ST |
| | | 2917 1/2 GUADALUPE ST |
| | 211455 | 2927 GUADALUPE ST |
| 57 | 211205 | 3001 GUADALUPE ST |
| | 211206 | 3009 GUADALUPE ST |
| | 211207 | LOT 5 BLK 10 OLT 73 DIV D FRUTH ADDN |
| | 211208 | 3023 GUADALUPE ST |
| | 211209 | 3025 GUADALUPE ST |
| | 211210 | 3035 GUADALUPE ST |
| | | 3101 GUADALUPE ST |
| | | 3105 GUADALUPE ST |
| 58 | 212627 | 3415 GUADALUPE ST |
| | | 3423 GUADALUPE ST |
| | 212629 | 3401 GUADALUPE ST |
| | | 3403 GUADALUPE ST |
| | | 3405 GUADALUPE ST |
| | | 3407 GUADALUPE ST |
| | | 3409 GUADALUPE ST |
| 59 | 212595 | 3501 GUADALUPE ST |
| | | 510 1/2 W 35TH ST |
| | | 510 W 35TH ST |
| 60 | Portion of 212586 | 3511 GUADALUPE ST |
| | | 511 W 37TH ST |
| | | 519 W 37TH ST |
| 61 | 212550 | 3701 GUADALUPE ST |
| | | 506 W 37TH ST |
| 62 | 212545 | 3711 GUADALUPE ST |
| | | 3713 GUADALUPE ST |
| 63 | 212546 | 505 W 38TH ST |
| | 212547 | LOT 4 * LESS N5FT OF BLK 2 OLT 77 DIV D LAKEVIEW ADDN |
| | 212548 | LOT 5 BLK 2 OLT 77 DIV D LAKEVIEW ADDN |
| 64 | 567360 | 3706 SPEEDWAY |
| 65 | 212641 | 3317 N LAMAR BLVD |
| 66 | 212542 | 3700 GUADALUPE ST |

**Central Austin Combined Planning Area VMU Application Properties
C14-2007-0262**

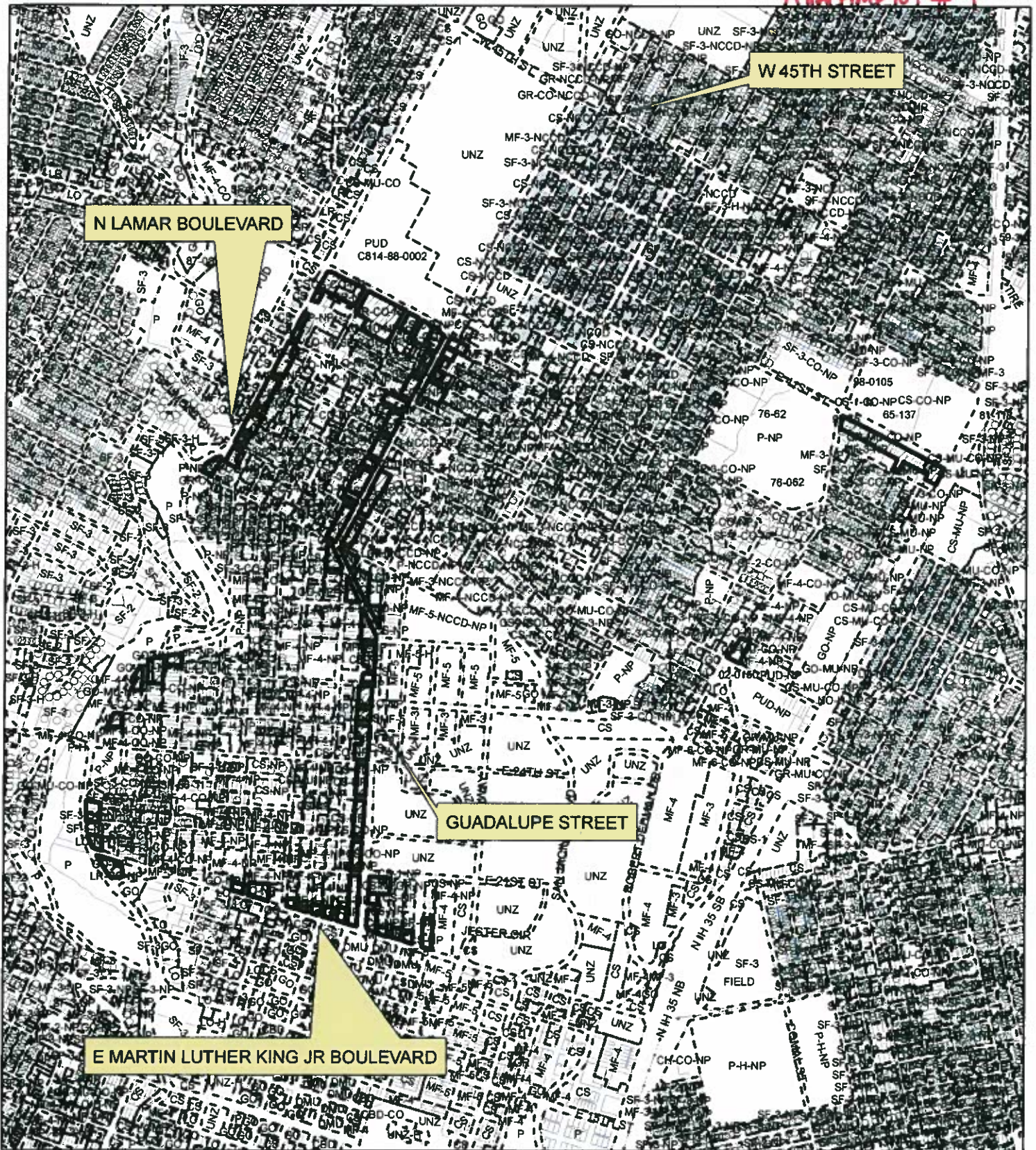
| Tract # (1) | TCAD Property ID (2) | COA Address (3) |
|-------------|----------------------------|--|
| 67 | Portion of 211310 | 3000 GUADALUPE ST 602 1/2 W 30TH ST |




| Vertical Mixed Use (VMU) OPT-IN Properties | | |
|--|----------------------------|--|
| Tract # (1) | TCAD Property ID (2) | COA Address (3) |
| 101 | 208917 | 3203 RED RIVER ST |
| | | 3207 RED RIVER ST |
| | | 910 E 32ND ST |
| | | 912 E 32ND ST |
| | | 914 E 32ND ST |
| | 208919 | 3211 RED RIVER ST 3213 RED RIVER ST |
| 102 | 216074 | 4427 DUVAL ST 4429 DUVAL ST |
| | 459842 | 4409 DUVAL ST |
| 103 | 211807 | 4011 RED RIVER ST |
| | 211808 | 905 E 41ST ST |
| | 211809 | W 50FT OF LOT 3 BLK 12 OLT 20-21 DIV C PLAINVIEW HEIGHTS |
| | 211810 | CEN 50FT OF LOT 3 BLK 12 OLT 20-21 DIV C PLAINVIEW HEIGHTS |
| | 211811 | 915 E 41ST ST |
| | 211812 | 925 E 41ST ST |
| | 211813 | 927 E 41ST ST |
| | 211814 | 1009 1/2 E 41ST ST |
| | 211815 | LOT 3 BLK 10 OLT 20-21 DIV C PLAINVIEW HEIGHTS |
| | 211816 | 1021 E 41ST ST |
| | 211817 | 1033 1/2 E 41ST ST |
| | 211824 | 929 E 41ST ST |
| | 211826 | 907 E 41ST ST 909 E 41ST ST |
| | | |
| | 211827 | 923 E 41ST ST |
| | 211834 | 1007 E 41ST ST |
| | 211835 | 1033 E 41ST ST |
| | | 4030 1/2 N IH 35 SVRD SB |

(1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Map

(2) Each TCAD Property ID number represents a separate property, as recorded by the Travis Central Appraisal District.

(3) The COA Addresses listed for each property are those addresses on file with the city pertaining to that property. If a COA address was not available for a property the TCAD address and/or legal description was used.



-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

OPERATOR: S. MEEKS

ZONING

ZONING CASE#: C14-2007-0262
 ADDRESS: DUVAL ST
 SUBJECT AREA: 70.01 ACRES
 GRID: J23-25 K24-25
 MANAGER: A. HOLUBECK



1" = 1600'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

ATTACHMENT #5

RECEIVED

JUN 04 2007

CANPAC

Central Austin Neighborhoods Planning Area Committee

Neighborhood Planning & Zoning

June 4, 2007

Mayor Will Wynn
City Council
City of Austin
c/o George Adams
City of Austin, Neighborhood Planning and Zoning Department
505 Barton Springs Road, Suite 500
Austin, Texas 78704

Re: Vertical Mixed Use (VMU) Opt-In/Opt-Out Process
Central Austin Combined Neighborhood Planning Area

Dear Mayor Wynn, Council Members and Mr. Adams,

Attached please find our VMU Opt-In/Opt-Out Application, completed and submitted in accord with the instructions given on the Austin City Connection website. We greatly appreciate the opportunity to participate in determining the application of this new zoning type. Members of our group have attended many of the public meetings on VMU over the course of the last few months, as have members of the component neighborhood association groups that comprise our planning area. We have held many meetings, both as a planning team and as individual neighborhood associations, to consider the VMU Opt-In/Opt-Out question. During our CANPAC meeting of May 29, 2007, we voted to submit the attached recommendations as CANPAC recommendations for Council consideration.

Please know that we fully support the goals of VMU and the inclusion of affordable housing in our neighborhood. In fact, these ideas were very much a part of our Neighborhood Plan, which we completed in 2004. The University Neighborhood Overlay (UNO) established many requirements similar to those in the VMU and Commercial Design Standards ordinances, and new construction in accord with these requirements is proceeding in that part of our planning area. Also, we adopted a range of mixed-use zoning rights and mixed-use building overlays in the commercial corridors in other parts of our neighborhood planning area. Having worked hard to craft good, compatible mixed-use zoning in our planning process, and having negotiated specific development rights on many commercial tracts within our area, on balance we find that VMU may not be the right tool to apply in a blanket overlay in much of our planning area. Therefore, we respectfully request that the City exclude the properties so noted on the attached VMU Opt-In/Opt-Out forms from VMU at this time.

Please also note that we continue to study the VMU question in our planning area, and may provide revised information within the 45-day extension period recently approved by the City Council. Also, while we have endeavored to note questions on addresses that appear to be incorrectly noted on the VMU detail maps, we may not have yet found all of these apparent errors. We may provide revisions related to address issues within the 45-day extension period, as well.

Respectfully submitted:
CANPAC Neighborhood Planning Team

CANPAC MEMBERS

*Eastwoods Neighborhood Association, Hancock Neighborhood Association, Heritage Neighborhood Association,
North University Neighborhood Association, Shoal Crest Neighborhood Association,
Caswell Heights Neighborhood Association, and University Area Partners*

CANPAC
AMENDED

CANPAC

Central Austin Neighborhoods Planning Area Committee

August 9, 2007

Mayor Will Wynn
City Council
City of Austin
c/o George Adams
City of Austin, Neighborhood Planning and Zoning Department
505 Barton Springs Road, Suite 500
Austin, Texas 78704

Re: Vertical Mixed Use (VMU) Opt-In/Opt-Out Process
Amended Application Excerpts
Central Austin Combined Neighborhood Planning Area

Dear Mayor Wynn, Council Members and Mr. Adams,

Attached please find excerpted amendments to our VMU Opt-In/Opt-Out Application, previously submitted on June 4, 2007. Please insert these excerpted amendment pages in our original application. (The amended pages replace the ones originally submitted.)

As we stated previously, please know that we fully support the goals of VMU and the inclusion of affordable housing in our neighborhood. In fact, these ideas were very much a part of our Neighborhood Plan, which we completed in 2004. The University Neighborhood Overlay (UNO) established many requirements similar to those in the VMU and Commercial Design Standards ordinances, and new construction in accord with these requirements is proceeding in that part of our planning area. Also, we adopted a range of mixed-use zoning rights and mixed-use building overlays in the commercial corridors in other parts of our neighborhood planning area. Having worked hard to craft good, compatible mixed-use zoning in our planning process, and having negotiated specific development rights on many commercial tracts within our area, on balance we find that VMU may not be the right tool to apply in a blanket overlay in much of our planning area. Therefore, we respectfully request that the City exclude the properties so noted on the attached VMU Opt-In/Opt-Out forms from VMU at this time.

Also as previously stated, there are apparent errors in some of the addresses given on the VMU maps for our planning area. We have endeavored to note questions on addresses that appear to be incorrectly noted on the VMU detail maps, but we may not have found all of these apparent errors. Please be sure to check the addresses given on the maps and reconcile them with the actual addresses of the properties depicted on the map.

Thank you.

Respectfully submitted:
CANPAC Neighborhood Planning Team

CANPAC MEMBERS

*Eastwoods Neighborhood Association, Hancock Neighborhood Association, Heritage Neighborhood Association,
North University Neighborhood Association, Shoal Crest Neighborhood Association,
Caswell Heights Neighborhood Association, and University Area Partners*

C11/32

**Amended Opt-In/Opt-Out Application for
Heritage Neighborhood**

I. Support of mixed use development by Heritage Neighborhood.

The Heritage Neighborhood Association Neighborhood Plan, put into effect by ordinance on Aug. 26, 2004, supported high quality, pedestrian friendly, neighborhood scale, mixed-use development on the perimeter of our neighborhood. Specifically, we supported allowing Neighborhood Mixed Use Buildings (NMUBs) on many sites, in which neighborhood scaling was enforced by a 1 acre limit on site area and by reasonable dimensional standards. At the same time, we supported the construction of Guadalupe 31, a 1.4 acre CS-MU zoned project with characteristics similar to the Vertical Mixed Use (VMU) projects allowed by Austin's new Design Standards and Mixed Use (DSMU) ordinance.

Heritage Neighborhood residents generally continue to support mixed use projects as envisioned in our Neighborhood Plan. Heritage is interested in working with developers to support mixed use projects that will enhance the quality of our neighborhood and support the goals of the City of Austin.

II. Special factors that justify a cautious approach to the application of the DSMU ordinance in Heritage Neighborhood.

- 1) Heritage Neighborhood is only four blocks wide, and bounded on three sides by Core Transit Corridors (CTCs). Therefore, the DSMU ordinance has the potential to place a disproportionate impact on Heritage.
- 2) Heritage has an intact historic core which contains homes dating from the 1840s through the 1930s, many of which display their original architecture. This intact historic neighborhood needs to be adequately protected.
- 3) Heritage Neighborhood already achieves the goals of the DSMU ordinance. Heritage has a mix of uses within the neighborhood: single family homes, multifamily housing, medical offices, and a variety of businesses. Heritage Neighborhood has a densely populated (over 23 people/acre) residential core which provides affordable housing in older apartments and condos, garage apartments, and small cottages. Heritage Neighborhood is pedestrian oriented, with a very wide variety of businesses (shops, restaurants, and services) on our perimeter, just a few blocks from our homes.
- 4) Heritage Neighborhood is home to a variety of valued local businesses that are generally not a good fit with VMU. Some of these businesses (Antone's Records, El Patio, Tom's Tabobley, KMFA) have been in Austin for several decades.

ATT. C-8.1
Amended 8/9/07

C11/35

Others (Amy's Ice Cream, Flamingo Automotive, Toy Joy) provide the local character that makes Austin unique.

This combination of factors justifies a cautious approach to the granting of new development rights within Heritage. Otherwise, many goals of both our Neighborhood Plan and the DSMU ordinance could be subverted rather than enhanced.

III. Need for additional design and compatibility standards for the neighborhood side of Vertical Mixed Use projects.

While we support the goals of the DSMU ordinance and mixed use development generally, and while Guadalupe 31 is a fine project in most respects, our experience with this project has raised a number of issues that must be addressed if DSMU is to be successfully applied in Heritage.

- 1) Its front sidewalk has a minimum width of only 9'-6", and is immediately adjacent to a lane of Guadalupe carrying heavy traffic. This makes the sidewalk feel narrow and unsafe, and provides too little room for substantial street trees.
- 2) The likely structure of any VMU project in Heritage is an attractive façade facing the Core Transit Corridor with a concrete parking structure to the rear. An example of this, the neighborhood side of Guadalupe 31, is shown in Figure 1. Such an unattractive presentation to residential properties by future VMU projects is not acceptable. The Design Standards in the DSMU ordinance do not adequately address the appearance of the neighborhood side of VMU projects.

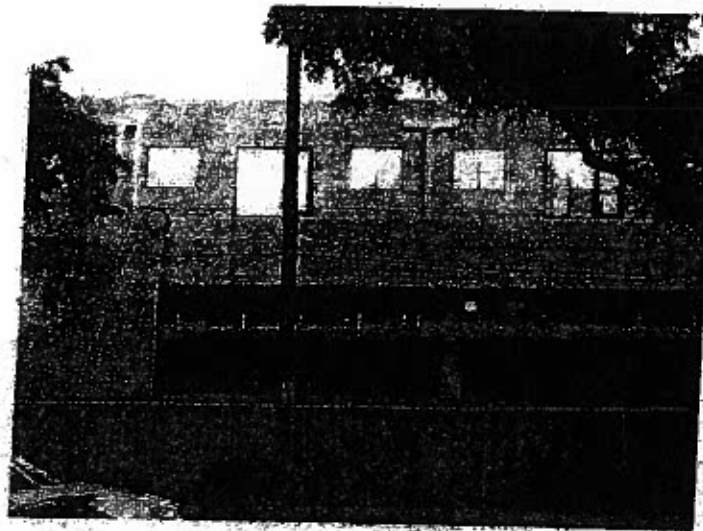


Figure 1. Neighborhood side of Guadalupe 31

ATT. C-8.2

Amended 8/9/17

U1/3k

- 3) The associated parking ramp and privacy wall are intrusive, particularly relative to the adjacent small cottages, as shown in Figure 2. The DSMU ordinance fails to enforce our Neighborhood Plan's requirements that mixed use developments be "neighborhood scaled" and compatible with surrounding historic single-family houses. Heritage has cottages with both MF and CS zoning. *The lack of compatibility standards for VMU properties adjacent to MF or CS-zoned cottages and MF-zoned properties generally is of great concern.*

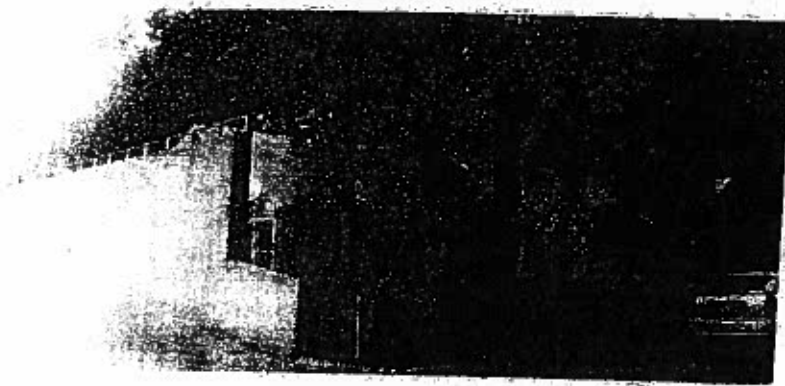


Figure 2. Ramp and privacy wall of Guadalupe 31, adjacent to small cottages.

It is the position of Heritage Neighborhood Association that modifications to the Design Standards for VMU projects are needed, so that future mixed use projects will be high-quality, compatible with adjoining properties, and help to sustain our neighborhood. These modifications should address issues including solar rights of adjoining residential properties; shielding of exterior lighting; architectural screening of parking and utilities; placement of water retention facilities, air conditioning units, ramps, driveways, and dumpsters, and design of fencing between VMU projects and the adjacent properties.

Heritage Neighborhood is willing to work with the City and the development community to develop workable design and compatibility standards that meet all parties' needs in a spirit of genuine partnership. We have a number of experts in this area who could assist such an effort.

IV. Opt-in/Opt-out recommendations.

For the reasons and considerations expressed above, we respectfully request the following:

- 1) All of our opt-out properties adjacent to SF and MF residential properties shall be removed from the VMU overlay. We request that the City revise the Design Standards for the neighborhood side of VMU buildings as outlined above, and implement compatibility standards for VMU properties adjacent to MF-zoned properties.

Att. C8.3

Amended 8/9/07

4/3/17

We are willing to reconsider our opt-out properties adjacent to SF and MF residential properties for future inclusion in the VMU overlay, if adequate standards that protect the neighborhood and address our concerns are adopted. At that time, we would also consider whether relaxed dimensional standards would be appropriate for some sites. In the mean time, Heritage Neighborhood is willing to work with developers to find solutions for individual VMU projects.

- 2) There shall be no relaxation of the required 15' sidewalk width on a CTC for new developments in Heritage Neighborhood. Specifically, we request that the Design Standards in Heritage be modified to disallow the alternative requirements for shallow lots (2.2.2.B.4), to disallow any exemption from the 15' width requirement by Alternative Equivalent Compliance (1.5), and to specifically clarify that the 15' width requirement takes precedence over any right gained to zero front set-back from reduced dimensional standards.

We are of the opinion that on-street head-in parking is unsafe for the high traffic Core Transit Corridors that border Heritage Neighborhood. Therefore, we request that

- 3) The Design Standards should be modified in Heritage Neighborhood to disallow on-street head-in parking for VMU projects on our CTCs.

We live close to the largest University in the country, which does not provide adequate parking for its staff, not to mention its student population. Adequate parking is necessary for all of us to live in harmony, side by side within this neighborhood and in the surrounding neighborhoods. Therefore, we request that

- 4) No relaxed parking standards should be allowed for any VMU property in Heritage Neighborhood.

Heritage Neighborhood already experiences an undue burden from high-traffic medical office complexes. Also, a primary goal of the ordinance is to provide increased population density along Core Transit Corridors. For these reasons, we request that

- 5) The VMU overlay in Heritage shall be modified to disallow any use other than residential on upper floors for any VMU project that takes advantage of relaxed dimensional standards.

In addition, we have special concerns for the following parcels:

- 6) The northern portion of Heritage Neighborhood has numerous medical office buildings that extend into the residential interior portion of the neighborhood. As a result, the homes on 37th and 35th Streets are in a particularly fragile part of the neighborhood. To protect this part of the neighborhood, we ask that the parcels on 711 W. 38th Street, 3702 Ronson Street and 623 W. 38th Street be removed from the VMU overlay until Design Standards are developed for the neighborhood side. In addition, we ask that they remain opted out of relaxed dimensional standards, so that

ATT. C-8.4
(Amended 8/9/07)

CU
38

these standards can be addressed through a future negotiation if and when the sites are redeveloped. In particular, a VMU development on the 711 W. 38th Street parcel, could result in a fully built out "box" or "building envelope" up to 60' tall overwhelming the adjacent fragile 35th Street section of our neighborhood, given an exemption from FAR and Site Area Requirements by relaxed dimensional standards. Neighbors prefer to mitigate the impact of such an out-of-scale development so close to single-family homes by negotiating with the developer(s), rather than agree to an abstract development concept outright.

- 7) Parcels with iconic businesses in Heritage include 2900 Guadalupe St (Toy Joy), 3512 Guadalupe St (Flamingo Automotive), 2938 Guadalupe St (El Patio), 2928 Guadalupe St (Antone's Records and Tom's Tabooley), 3500 Guadalupe St (Amy's Ice Cream), and 3001 N Lamar Blvd (KMFA). To help protect these local businesses, we request that the properties be removed from the VMU overlay and remain out as long as the businesses remain at the stated locations.
- 8) The parcels at 3700 Guadalupe (Trafton & Son Inc.) and 3404 Guadalupe (Elephant Productions) are historic structures. Trafton Tile has remarkable architectural elements, including an exterior made of tile, while Elephant Productions is in the old Decker House. To help preserve these structures, we request that the properties be removed from the VMU overlay.

Heritage Neighborhood Association has an established track record of supporting mixed-use development, and looks forward to working together with the City and the development community to implement Vertical Mixed Use in a spirit of mutual respect and cooperation.

Accepted by Heritage Neighborhood Association

7/9/2007

17 in favor, 0 opposed

ATT. C-8.5
(amended 8/1/07)

JUN 04 2007

Neighborhood Planning & Zoning

VERTICAL MIXED USE (VMU) OPT-IN/OPT-OUT APPLICATION

The purpose of this application is to provide recommendations on the location and standards for Vertical Mixed Use within the below named area.

Detailed instructions for completing this application can be found by clicking on this link: http://coageold01.ci.austin.tx.us/GIS-Data/planning/CommercialDesign/vmu_instructions.pdf. Please read these instructions prior to completing this application. A "Submittal Checklist" is provided at the end of this document to help ensure that all application materials are included in the neighborhood submittal.

If you have questions or need additional information please contact the VMU Help Line at

vmu@ci.austin.tx.us

or (512) 974-2150

1. IDENTIFY YOUR NEIGHBORHOOD PLANNING OR APPLICATION AREA AND PROVIDE THE FOLLOWING INFORMATION:

A. NAME OF NEIGHBORHOOD PLANNING AREA OR VMU APPLICATION AREA*: Central Austin Combined Neighborhood Planning Area.

*Note: A map of the Neighborhood Planning and VMU application areas can be found by clicking on this link: <http://coageold01.ci.austin.tx.us/GIS-Data/planning/maps/CommercialDesign/VerticalMixedUseColorMap.pdf>. This map also shows properties within the VMU Overlay District and properties with the MU Combining District that are included in the opt-in/opt-out process.

B. NAME OF NEIGHBORHOOD PLANNING TEAM CHAIR OR NEIGHBORHOOD ASSOCIATION CHAIR AND SECONDARY CONTACT.

NEIGHBORHOOD PLANNING TEAM OR NEIGHBORHOOD ASSOCIATION CHAIR CONTACT INFORMATION:

NAME LINDA B. TEAM

PHONE 472-1930

E-MAIL lteam@austin.tx.com

MAILING ADDRESS 600 Bellevue Place, Austin, TX 78705